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FACSIMILE TRANSMISSION

Total Number of Pages (including this page): 31

TO:	PHONE #:	FAX #:
Examiner Karen E. Toth Group Art Unit 1632 U.S. Patent and Trademark Office	571-272-6824	571-273-8300

From : Stacy L. Taylor
Email Address : staylor@foley.com
Sender's Direct Dial : 858.847.6720
Date : October 25, 2006
Client/Matter No : 041673-2113
User ID No : 9055

MESSAGE:

Re: Serial No. 10/698,911

Attached is the following:

1. Amendment Transmittal (3 pages);
2. Credit Card Payment Form (1 page); and
3. Amendment and Reply Under 37 CFR 1.111 (26 pages).

If there are any problems with this transmission or if you have not received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Rachel Caputo
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Cover Page 1 of 1

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DLMR_290545.1

PAGE 1/31 * RCVD AT 10/25/2006 8:25:50 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-1/1 * DNIS:2738300 * CSID: * DURATION (mm-ss):09-16

Atty. Dkt. No. 041673-2113

IN THE UNITED STATES PATENT AND TRADEMARK OFFICERECEIVED
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OCT 25 2006

Applicant: Gough, et al.

Title: TISSUE IMPLANTABLE
SENSORS FOR
MEASUREMENT OF BLOOD
SOLUTES

Appl. No.: 10/698,911

Filing Date: 10/31/2003

Examiner: Karen E. Toth

Art Unit: 3735

Confirmation Number: 2984

CERTIFICATE OF FACSIMILE TRANSMISSION	
I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.	
<u>Rachel Caputo</u>	(Printed Name)
<u><i>Rachel Caputo</i></u>	(Signature)
<u>10/25/06</u>	(Date of Deposit)

AMENDMENT TRANSMITTALMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ [X] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

☐ [] Assertion of Small Entity status is enclosed.

Atty. Dkt. No. 041673-2113

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☒ The fee required for additional claims is calculated below:

	Claims As Amended		Previously Paid For		Extra Claims Present		Rate		Additional Claims Fee
Total Claims:	24	-	57	=	0	x	\$50.00	=	\$0.00
Independent Claims:	24	-	5	=	19	x	\$200.00	=	\$3800.00
First presentation of any Multiple Dependent Claims: +									\$360.00 = \$0.00
CLAIMS FEE TOTAL =									\$3800.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$3800.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$1,900.00
Extension Fees Previously Paid:		\$0.00
TOTAL FEE:		\$1,900.00

A credit card payment form in the amount of \$1,900.00 is enclosed.

Atty. Dkt. No. 041673-2113

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 10-25-06

By



FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (858) 847-6720
Facsimile: (858) 792-6773

Stacy L. Taylor
Attorney for Applicant
Registration No. 34,842

Atty. Dkt. No. 041673-2113

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<u>Rachel Caputo</u> (Printed Name)	
<u>Rachel Caputo</u> (Signature)	
<u>10/25/06</u> (Date of Deposit)	

AMENDMENT AND REPLY UNDER 37 CFR 1.111Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated July 31, 2006, concerning the above-referenced patent application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 21 of this document.

Please amend the application as follows:

10/26/2006 TL0111 00000005 10698911

01 FC:2201

1900.00 OP

-1-

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